

**IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

International Application No. : PCT/US03/01943  
International Filing Date : 24 January 2003 (24.01.2003)  
U.S. Serial No. : 10/502,394  
Deposit Date U.S. Nat'l Phase : 26 July 2004 (26.07.2004)  
Priority Date(s) Claimed : 25 January 2002 (25.01.2002)  
Applicant(s) : Zairen SUN, et al.  
Title: CANCER GENES

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS  
UNDER 35 U.S.C. § 371**

**IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 11213-1450

Sir:

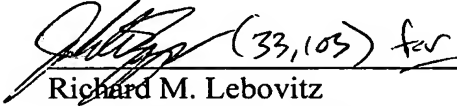
In response to the Notification of Missing Requirements dated 19 April 2005:

- ☒ Attached is a Declaration and Power of Attorney in compliance with 37 CFR § 1.53 along with the late filing surcharge of **\$65.00**
- ☒ Applicants include an executed assignment and Recordation Form Cover Sheet with the recordation fee of \$40.00.
- ☒ Attached is a copy of the Notification of Missing Requirements.
- ☒ Applicants request that the time for taking action in this case be extended pursuant to 37 CFR 1.136(a) for a period of four months along with the fee of **\$795.00**.
- ☐ Applicant(s) are entitled to small entity status.
- ☐ Attached is a verified English translation of the PCT publication along with the fee of \$130.00.
- ☒ Attached is a Preliminary Amendment.
- ☒ Applicants include the extra claims fee of **\$150.00** for 6 claims in excess of 20 at \$25 per additional claim and the extra independent claims fee of **\$400.00** for 4 independent claims in excess of 3 at \$100 per additional claim.
- ☒ Attached is the Sequence Disclosure (paper/disk versions) with the appropriate statement as required

- ☐ Attached is an Application Data Sheet (ADS).
- ☐ Attached are the substitute drawings as required.

Attached is a check in the amount of **\$1,410.00**. However, the Commissioner is hereby authorized to charge fees under 37 CFR § 1.16 and § 1.17 which may be required to facilitate this filing, or credit any overpayment to Deposit Account #13-3402.

Respectfully submitted,

 (33,105) for  
\_\_\_\_\_  
Richard M. Lebovitz  
Registration No. 37,067  
Attorney/Agent for Applicants

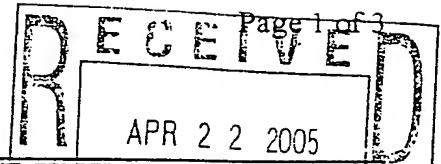
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Attorney Docket No.: ORIGEN-0015-A

Date: October 19, 2005

10/24/2005 ATRAN1 00000125 10502394

01 FC:2617	65.00 OP
02 FC:2254	795.00 OP
03 FC:2615	150.00 OP
04 FC:2614	400.00 OP



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22304-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/502,394	FIRST NAMED APPLICANT Zairen Sun	ATTY. DOCKET NO. ORIGEN-0015 A
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23599  
 MILLEN, WHITE, ZELANO & BRANIGAN, P.C.  
 2200 CLARENDON BLVD.  
 SUITE 1400  
 ARLINGTON, VA 22201

CASE  
 ACTION Response to NMC  
 DUE DATE 6.9.05

INTERNATIONAL APPLICATION NO. PCT/US03/01943	
IA. FILING DATE 01/24/2003	PRIORITY DATE 01/25/2002

CONFIRMATION NO. 3492  
 371 FORMALITIES LETTER



Date Mailed: 04/19/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 07/26/2004
- Copy of the International Search Report filed on 07/26/2004
- U.S. Basic National Fees filed on 07/26/2004
- Priority Documents filed on 07/26/2004

CASE \_\_\_\_\_  
 ACTION \_\_\_\_\_  
 DUE DATE \_\_\_\_\_

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$1660 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$1790 for a Large Entity:

- \$130 Late oath or declaration Surcharge.

Dec  
4.22.05

- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.
- Total additional claim fee(s) for this application is \$ 1660
  - \$800 for 4 independent claims over 3.
  - \$500 for 10 total claims over 20.
  - \$360 for multiple dependent claim surcharge.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

FREDERICK SMITH

Telephone: (703) 308-9140 EXT 210

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.

10/502,394

INTERNATIONAL APPLICATION NO.

PCT/US03/01943

ATTY. DOCKET NO.

ORIGEN-0015 A

FORM PCT/DO/EO/905 (371 Formalities Notice)